

SEVENTY-SECOND DAY

(Wednesday, May 14, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Honorable W. O. Reed of Dallas County.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Gandy
Allen	Gilmer
Allison	Goodman
Alsup	Halsey
Avant	Hanna
Bailey	Hardeman
Baker	Hargis
Bean	Harris of Dallas
Bell	Harris of Hill
Benton	Hartzog
Blankenship	Heflin
Boone	Helpinstill
Brawner	Henderson
Bray	Hileman
Bridgers	Hobbs
Brown	Howard
Bruhl	Howington
Bullock	Hoyo
Bundy	Huddleston
Burkett	Huffman
Burnaman	Hughes
Carlton	Humphrey
Carrington	Hutchinson
Cato	Isaacks
Celaya	Jones
Chambers	Kelly
Clark	Kennedy
Cleveland	Kersey
Coker	Kinard
Colson, Mrs.	King
Connelly	Klingeman
Craig	Knight
Crossley	Lansberry
Crosthwaite	Lehman
Daniel	Leyendecker
Davis	Little
Deen	Lock
Dickson of Bexar	Love
Dickson of Nolan	Lowry
Donald	Lucas
Dove	Lyle
Duckett	McAlister
Ellis	McCann
Eubank	McDonald
Evans	McGlasson
Favors	McLellan
Ferguson	McMurry
Files	McNamara
Fitzgerald	Manford
Fuchs	Manning

Markle	Roberts
Martin	Sallas
Matthews	Senterfitt
Mills	Shell
Montgomery	Simpson
Moore	Skiles
Morgan	Smith of Bastrop
Morris	Smith of Atascosa
Morse	Spacek
Murray	Spangler
Nicholson	Stanford
Pace	Stinson
Parker	Stubbs
Pevehouse	Taylor
Phillips	Turner
Price	Vale
Rampy	Voigt
Reed of Bowie	Wattner
Reed of Dallas	Weatherford
Ridgeway	White
Rhodes	Whitesides
Roark	

Absent—Excused

Anderson	Thornton
Dwyer	Walters
Garland	Winfrey
Sharpe	

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain as follows:

"Lord, as we come into Thy special presence this morning may we know our weakness, that we may be strong, and may we be humble, that Thou shalt lift us up. We praise Thee for Thy grace and Thy power; and we pray for those qualifications that we need just now. May reason, and truth, and justice prevail in all that we do. In Christ's name. Amen."

LEAVES OF ABSENCE
GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Walters for today, on motion of Mr. Gandy.

Mr. Sharpe for today, on motion of Mr. Roark.

Mr. Dwyer and Mr. Anderson for today, on motion of Mr. Nicholson.

Mr. Garland last Monday, Tuesday and today, on motion of Mr. Bundy.

The following Member was granted leave of absence on account of illness:

Mr. Thornton for today, on motion of Mr. Lowry.

SPECIAL COMMITTEE APPOINTED

The Chair announced the appointment of Mrs. Colson, Mr. Morse, Mr. Harris of Dallas, Mr. Eubank, and Mr. Craig as a committee to escort Hon. and Mrs. Homer Leonard, Barbara Mae and Marcia Fae Leonard to seats on the right of the Speaker's stand, for the purpose of presenting them with gifts from the Members and employees of the House of Representatives.

PRESENTATION OF GIFTS TO HON. AND MRS. HOMER LEONARD

Hon. W. O. Reed of Dallas, who was in the Chair, presented the following who presented gifts to Hon. and Mrs. Homer Leonard, as follows:

Hon. G. C. Morris, on behalf of the Stenographers and Proofreaders Department, presented silver knives, forks and butter spreaders.

Leonard King, on behalf of the Committee clerks, presented silver ice tea spoons, salad forks, and cream soups.

"Corky" Alexander, on behalf of the pages, presented Mr. and Mrs. Leonard with silver dessert forks, and a silver chest, speaking as follows:

Mr. Speaker and Mrs. Leonard: Every boy has an ideal—someone to whom he looks for inspiration and in whose footsteps he would like to follow in being a real citizen of his community and state.

Now to you, as our ideal, and to Mrs. Leonard whose cheerfulness and friendliness has made her a general favorite, I present to you, on behalf of the pages of the 47th Legislature, these silver dessert spoons with the sincere wish that your success and happiness will be as enduring as the metal itself. Thank you.

Morris Kibler, on behalf of the Sergeant-at-arms Office and employees, presented a silver gravy ladle, cold meat fork, and silver teaspoons.

Hon. W. R. Chambers, on behalf of the porters, presented Hon. Homer Leonard with a rifle.

Rev. George W. Coltrin, on behalf of the Elective Officers, and various employees of their departments, the employees of the mailing room, employees of Committee on Contingent Expenses, voting machine operators, and other miscellaneous employees, presented Mr. and Mrs. Leonard with silver coffee spoons, teaspoons, oyster forks, tablespoons, and sugar spoon.

Mr. Reed of Dallas, presented Hon. Clinton Kersey, who, on behalf of the Members of the House, presented Mr. and Mrs. Leonard with a silver tea and coffee service.

Mr. Reed presented Mrs. Homer Leonard, who addressed the House, expressing appreciation for the gifts.

Hon. Homer Leonard was presented, and addressed the House, expressing appreciation for the gifts.

REMARKS ORDERED PRINTED IN THE JOURNAL

On motion of Mr. Carlton, the remarks of Hon. Homer Leonard in addressing the House on this morning were ordered printed in the Journal.

On motion of Mr. Hartzog, the remarks of all those making presentation addresses on this morning, were ordered printed in the Journal.

TRIBUTE TO HON. HOMER LEONARD

On motion of Hon. Lon E. Alsup, the following article, which was read to the House by Hon. Clinton Kersey, was ordered printed in the Journal:

"The Sage of the Sage Hills"

Tom Martin Says

An open letter to Mr. Homer Leonard, Speaker of the House of Representatives:

"Dear Homer—Stamps are high and you are an understanding man, so we will use our good friend Charlie Green's paper. Now Homer, here is what I've been a-thinkin' about. Did you ever notice how people take on at a funeral? They can shed more 'phoney tears than a woman testifying in court at a breach of promise trial. Then they'll spend a five spot to buy a big bunch of flowers and to be sure that everybody will know that they've been

sent by them . . . they will put a billboard on the wreath with their names on it. Now, Homer, don't misunderstand me. I ain't got no squawk a-comin' about people that shore 'nuf are sad when they lose a good friend and really want to send some kind of a remembrance to let the family know how they feel. And I ain't a-pickin' nobody to pieces that have been good loyal friends to the deceased and who helped him when he was alive. But it's these monkeys that want to make a sham display for convention's sake that I am a-takin' a dig at.

"Now, Homer, I know that this is all haywire to you and by now you are a-wonderin' what's ailin' me. But, Homer, at the funeral they turn out in a swallow tail and a wreath and cry like a frame-up gal and maybe yesterday they said the deceased was the lowest-down horse thief in the country. But that's what gave me this thought. Before it's too late I want to tell you in the name of all Texas that we think you have been one of the ablest Speakers that we've ever had. You are a square shooter and as clean as a hound's tooth. You've got ability and you've got horse sense. No Speaker has ever had more loyal friends. You are a good guy, Homer, and you deserve anything you want. Well, that's about all, Homer, exceptin' we'll be a-missin' you when you leave Austin. The Valley must be proud of a sport like you.

The boys were in A. J. barber shop bright and early. Said June: "There's something strange about that Homer Leonard." Replied Newt: "Yeah . . . he's on the level."

MESSAGE FROM THE SENATE

Austin, Texas, May 14, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee report on Senate Bill No. 20 by the following vote: Yeas, 27; nays, 2.

The Senate has adopted the Conference Committee report on House Bill No. 76 by the following

vote: Yeas, 15; nays, 10. (Report attached.)

Respectfully,

BOB BARKER,

Secretary of the Senate.

BILL RECOMMITTED

Mr. Lowry moved that House Bill No. 416 be recommitted to the Committee on Labor.

Mr. Hanna asked unanimous consent of the House that House Bill No. 416 be recommitted to the Committee on Counties.

The motion by Mr. Hanna prevailed.

NOTICE GIVEN

Mr. Hughes gave notice that he would on the next legislative day move to take up for consideration at that time House Bill No. 627, which bill was heretofore laid on the table subject to call.

AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 354

Mr. Hutchinson offered the following resolution:

H. C. R. No. 132, Authorizing certain corrections in House Bill No. 354.

Whereas, House Bill No. 354 has passed the House and Senate; and

Whereas, Said bill is a local bill and it has been found that it is necessary to change the wording in same; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be authorized and directed to strike out the words "of the Tax Assessor and Collector" in lines 6 and 7 of Section 1, and add between the words "Texas" and "does" in line 7 of Section 1 the following: "said payments being reflected in the records of the Tax Assessor and Collector of Fort Bend County, Texas."

The resolution was read second time and was adopted.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Dove offered the following resolution:

H. C. R. No. 133, To grant W. L. Priddy permission to sue the State.

Whereas, The State Parks Board in connection with the development of Fort Parker State Park has caused to be constructed a dam on the Navasota River in Limestone County, Texas; and

Whereas, The dam so constructed has created a large lake, which lake is so constructed that it does not take care of all of the water that flows into it; and

Whereas, The overflow waters from said lake have backed up onto the property of W. L. Priddy of Route No. 5, Mexia, Texas; and

Whereas, Said overflow waters have caused about five acres belonging to the said W. L. Priddy to be rendered useless for grazing land for his cattle and the loss of this land resulted in a financial loss to the owner; and

Whereas, The said land was covered with bearing pecan trees, some of which were grafted to paper shell varieties; and

Whereas, In addition to the damage to the pecan trees and the rendering of the land useless for grazing purposes, some of Mr. Priddy's cattle are constantly being trapped between the backwater and the river causing them to be washed out of his pasture and some of same have been lost causing a financial loss to Mr. Priddy; and

Whereas, The said W. L. Priddy depends on his cattle and his pecan trees to help make a living for himself and family and the financial loss herein cited has placed a burden upon him; now therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said W. L. Priddy be and he is hereby granted permission to bring suit against the State of Texas in a Court of competent jurisdiction in Travis County, Texas, in order to determine compensation for damages received and that service of citation or other necessary process may be had upon the Chairman of the State Parks Board and the Attorney General of the State, as in other civil cases.

The resolution was read second time and was referred by the Chair to the Committee on State Affairs.

AUTHORIZING CERTAIN CORRECTIONS IN HOUSE BILL NO. 903

Mr. Lansberry offered the following resolution:

H. C. R. No. 134, Authorizing Certain Corrections in House Bill No. 903.

Whereas, House Bill No. 903 has heretofore passed the House and the Senate and is now in the hands of the Enrolling Clerk of the House; and

Whereas, The language in the Bill inadvertently refers to Slick Rock Creek in Burnet County when it should refer to the point on the Colorado River where the Burnet-Llano County Line crosses said Colorado River; now therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be instructed to change the words "Slick Rock Creek in Burnet County" wherever they appear in the Bill to read "to the point on the Colorado River where the Burnet-Llano County Line crosses said Colorado River."

The resolution was read second time and was adopted.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Hartzog offered the following resolution:

H. C. R. No. 135, To Grant Chadwick and Williams Permission to Sue the State.

Whereas, Some time prior to December 1, 1938, the State Highway Commission of the State of Texas advertised for bids to be received and opened by it on December 1st, 1938, for the construction of a section of roads in Galveston County, Texas, designated by it as Galveston County Project No. Control 51-4-13, reserving the right to reject any and all bids; and,

Whereas, It was appropriately provided in said advertisement and under the rules and regulations then in force by said Highway Commission that each bidder should furnish with his bid a bidder's check or bond in the sum of \$2000.00. In

order to guarantee that in the event the contract was awarded to such bidder a performance bond would be executed; and,

Whereas, Chadwick & Williams, a partnership composed of John B. Chadwick and George M. Williams filed a bid proposing to perform the contract as therein proposed and filed with the said Highway Commission a bidder's check in the sum of \$2000.00 to guarantee that in the event they were successful bidders that they would furnish a performance bond, but in calculating their bid on said project and in figuring the work to be done, said Chadwick & Williams made an error of approximately \$15,000.00 against themselves which error was not discovered until after the bids were opened, which error caused them to bid at least \$15,000.00 less than they intended to bid on said project; and,

Whereas, On December 1, 1938, said bids were opened and it was determined that said Chadwick & Williams were low bidders on the project by approximately \$12,000.00 whereupon, Chadwick & Williams recalculated their bid and discovered the errors that had been made and immediately contacted the surety company that was to make their performance bond and were advised by the surety company that said company would not execute the performance bond as surety, whereupon Chadwick & Williams immediately notified the Highway Department of the existence of the error that had been made by them and requested the Highway Commission not to award the contract to them; and,

Whereas, Said Highway Commission, some week or ten days thereafter did award the contract to Chadwick & Williams and called on them to give a performance bond and to perform the contract; and

Whereas, Chadwick & Williams were not able to make the performance bond as required by said Commission and so notified the Commission to that effect, whereupon the contract was awarded by the Commission to the next low bidder at approximately \$12,000.00 more than the bid by Chadwick & Williams; and

Whereas, Chadwick & Williams requested the return of the bidder's

check in the sum of \$2,000.00 submitted by them when their proposal was made but said Highway Commission refused to return the check on the opinion of the Attorney General of Texas to the effect, in substance, that the said Commission was without authority to return the check; and

Whereas, The Highway Commission deposited and collected said check, thereby causing Chadwick & Williams to sustain a loss in the sum of \$2,000.00; now, therefore,

Be it resolved by the House of Representatives, the Senate concurring, That the said Chadwick & Williams, a partnership composed of John B. Chadwick and George M. Williams, be and they are hereby granted permission to bring suit against the State of Texas in one of the District Courts of Travis County, Texas, in order to determine whether or not Chadwick & Williams are entitled to recover the amount of their said bid check as hereinbefore set out.

Be it further resolved, That in the event plaintiffs obtain judgment against the State on said suit said judgment shall be paid by the State out of the Highway fund or any money appropriated to the Highway Department in the biennial appropriation bill.

Service of citation on the State may be had by serving the same upon the Governor, or the Attorney General or any member of the State Highway Commission of the State of Texas.

Be it further resolved, That the sole purpose of this resolution is to grant permission to the said Chadwick & Williams, a partnership composed of John B. Chadwick and George M. Williams, to bring suit against the State of Texas for damages sustained by them by reason of the Highway Department refusing to return their bidder's check and no statement made herein shall be construed as an admission of fact by the State, but the statute of limitation that might be plead in connection with this suit is hereby waived.

The resolution was read second time and was referred by the Chair to the Committee on State Affairs

RECALLING HOUSE BILL NO.
922 FROM THE HOUSE

The Chair laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 57, Recalling House Bill No. 922 from the Senate.

Be it resolved by the Senate, the House of Representatives concurring, That the House be and is hereby requested to return to the Senate, House Bill No. 922, for correction and further consideration.

The resolution was read second time and was adopted.

TO GRANT PERMISSION TO
SUE THE STATE

The Chair laid before the House, for consideration at this time, the following resolution:

H. C. R. No. 131, To grant W. F. Howell and wife permission to sue the State.

The resolution having heretofore been read second time and referred to the Committee on State Affairs.

The Committee on State Affairs having recommended the adoption of the resolution.

The resolution was then adopted.

AUTHORIZING CERTAIN COR-
RECTION IN HOUSE BILL
NO. 978

Mr. Davis offered the following resolution:

H. C. R. No. 137, Authorizing Certain Correction in House Bill No. 978.

Whereas, House Bill No. 978 has passed the House and Senate; and Whereas, Said bill is a local bill and the word "seine" was inadvertently omitted in "Section 3"; now, therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be authorized and directed to insert the word "seine" in "Section 3," line 6, page 1, between the words "take" and "and."

The resolution was read second time and was adopted.

ADOPTION OF CONFERENCE
COMMITTEE REPORT ON
SENATE BILL NO. 184

Mr. Heflin submitted the following Conference Committee report on Senate Bill No. 184:

Austin, Texas, May 12, 1941.

Honorable Coke R. Stevenson, President of the Senate;

Honorable Homer Leonard, Speaker of the House.

Sirs: We, your Conference Committee appointed to adjust the differences between the two Houses on Senate Bill No. 184, have met and beg leave to recommend that said Senate Bill No. 184 be passed in the form hereto attached.

Respectfully submitted,

MOORE,
RAMSEY,
SHIVERS,
WEINERT,
GRAVES,

On the part of the Senate.

HEFLIN,
CROSTHWAIT,
DICKSON of Bexar,
HANNA,
MONTGOMERY,

On the part of the House.

By Senator Spears:

S. B. No. 184,

A BILL

To Be Entitled

An Act amending Section 1 of Chapter 469, Acts Regular Session, 45th Legislature; repealing Section 2 of Chapter 469, Acts Regular Session, 45th Legislature; and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Section 1, Chapter 469, Acts Regular Session, 45th Legislature, be and the same is amended hereby so as to read hereafter as follows:

"Section 1. That the official shorthand reporter of each District Court, Criminal District Court and County Court-at-Law in each county in the State of Texas having a popu-

lation in excess of two hundred and ninety thousand (290,000) inhabitants, according to the last preceding or any future Federal Census, shall receive a salary of Thirty-six Hundred Dollars (\$3600) per annum in addition to the compensation for transcript fees as provided by law. Said salary shall be paid monthly on approval of the Judge of such court out of the General Fund of the County."

Sec. 2. Section 2 of Chapter 469, Acts Regular Session, 45th Legislature, is hereby repealed.

Sec. 3. The crowded condition of the calendar creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

On motion of Mr. Heflin, the report was adopted.

(Speaker in the Chair.)

AUTHORIZING THE PURCHASE OF TEXAS ALMANACS FOR MEMBERS OF THE HOUSE

Mr. Blankenship moved that the Committee on Contingent Expense be authorized to purchase the current Texas Almanac for Members, and the cost of same be charged to the expense accounts of Members of the House.

The motion by Mr. Blankenship prevailed.

RELATIVE TO SENATE BILL NO. 423

Mr. Hanna moved that the House Conference Committee on Senate Bill No. 423 be instructed to reduce the appropriations by seven and one-half million dollars (\$7,500,000.00).

Question recurring on the motion by Mr. Hanna, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—47

Allen	Kinard
Bailey	King
Benton	Lansberry
Bray	Lowry
Burkett	McAlister
Clark	McCann
Coker	McGlasson
Connelly	McLellan
Craig	McMurry
Crossley	McNamara
Davis	Manford
Deen	Martin
Duckett	Moore
Eubank	Murray
Favors	Nicholson
Ferguson	Parker
Fitzgerald	Rampy
Fuchs	Reed of Bowie
Hanna	Rhodes
Harris of Dallas	Roark
Hileman	Senterfitt
Howington	Spangler
Humphrey	Wattner
Hutchinson	

Nays—79

Allison	Howard
Alsup	Huddleston
Avant	Huffman
Baker	Hughes
Bean	Isaacks
Bell	Jones
Blankenship	Kelly
Brawner	Kennedy
Bridgers	Kersey
Brown	Klingeman
Bruhl	Knight
Bullock	Lehman
Bundy	Little
Burnaman	Lock
Carlton	Love
Carrington	Lucas
Cato	Lyle
Celaya	McDonald
Chambers	Manning
Cleveland	Markle
Colson, Mrs.	Matthews
Crosthwait	Mills
Dickson of Bexar	Montgomery
Donald	Morgan
Dove	Morris
Ellis	Morse
Evans	Pace
Files	Pevehouse
Gilmer	Phillips
Halsey	Price
Hargis	Ridgeway
Harris of Hill	Roberts
Helpinstill	Shell
Henderson	Simpson
Hobbs	Skiles

Smith of Bastrop Vale
 Smith of Atascosa Weatherford
 Stanford White
 Taylor Whitesides
 Turner

Present—Not Voting

Reed of Dallas

Absent

Boone Hoyo
 Daniel Leyendecker
 Dickson of Nolan Sallas
 Gandy Spacek
 Goodman Stinson
 Hardeman Stubbs
 Hartzog Voigt
 Heflin

Absent—Excused

Anderson Thornton
 Dwyer Walters
 Garland Winfree
 Sharpe

(Mr. Morris in the Chair.)

RELATIVE TO HOUSE
 BILL NO. 272

Mr. Hanna moved that the House Conference Committee on House Bill No. 272 be instructed to reduce the appropriations by five million dollars (\$5,000,000.00).

Question recurring on the motion by Mr. Hanna, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—35

Bailey McCann
 Benton McGlasson
 Burkett McLellan
 Coker McMurry
 Connelly McNamara
 Crossley Martin
 Crosthwait Moore
 Davis Murray
 Deen Nicholson
 Fuchs Pace
 Hanna Parker
 Harris of Dallas Rappy
 Hileman Reed of Bowie
 Hobbs Rhodes
 Howington Roark
 Humphrey Senterfitt
 Kinard Spangler
 King

Nays—87

Allen Huffman
 Allison Hughes
 Avant Hutchinson
 Baker Isaacks
 Bean Jones
 Bell Kelly
 Blankenship Kennedy
 Brawner Kersey
 Bray Klingeman
 Bridgers Knight
 Brown Lansberry
 Bruhl Lehman
 Bullock Little
 Bundy Lock
 Burnaman Love
 Carlton Lowry
 Carrington Lucas
 Cato Lyle
 Chambers McDonald
 Clark Manning
 Cleveland Markle
 Colson, Mrs. Matthews
 Craig Mills
 Dickson of Bexar Montgomery
 Donald Morgan
 Dove Morris
 Duckett Pevehouse
 Ellis Phillips
 Eubank Price
 Evans Ridgeway
 Favors Roberts
 Ferguson Shell
 Files Simpson
 Fitzgerald Smith of Bastrop
 Gilmer Smith of Atascosa
 Halsey Stanford
 Hargis Taylor
 Harris of Hill Turner
 Hartzog Vale
 Heflin Wattner
 Helpinstill Weatherford
 Henderson White
 Howard Whitesides
 Huddleston

Present—Not Voting

Reed of Dallas

Absent

Alsup McAlister
 Boone Manford
 Celaya Morse
 Daniel Sallas
 Dickson of Nolan Skiles
 Gandy Spacek
 Goodman Stinson
 Hardeman Stubbs
 Hoyo Voigt
 Leyendecker

Absent—Excused

Anderson	Thornton
Dwyer	Walters
Garland	Winfree
Sharpe	

RELATIVE TO CONFERENCE
COMMITTEE REPORT ON
SENATE BILL NO. 184

Mr. Dickson of Bexar, moved to reconsider the vote by which the Conference Committee report on Senate Bill No. 184 was adopted.

The motion to reconsider prevailed.

Question: Shall the report be adopted?

The Conference Committee report on Senate Bill No. 184 was adopted by the following vote:

Yeas—117

Allen	Ferguson
Allison	Files
Alsup	Fitzgerald
Avant	Fuchs
Bailey	Gilmer
Baker	Goodman
Bean	Halsey
Bell	Hanna
Benton	Hargis
Brawner	Harris of Dallas
Bridgers	Harris of Hill
Brown	Heflin
Bruhl	Helpinstill
Bullock	Henderson
Bundy	Hobbs
Burkett	Howard
Burnaman	Howington
Carlton	Huffman
Carrington	Hughes
Cato	Humphrey
Celaya	Hutchinson
Chambers	Isaacks
Clark	Kelly
Cleveland	Kennedy
Coker	Kersey
Colson, Mrs.	Kinard
Connelly	Klingeman
Craig	Knight
Crossley	Lansberry
Crosthwait	Lehman
Davis	Little
Dickson of Bexar	Lock
Donald	Love
Dove	Lowry
Duckett	Lucas
Ellis	Lyle
Evans	McAlister
Favors	McCann

McGlasson	Ridgeway
McMurry	Rhodes
McNamara	Roberts
Manford	Senterfitt
Manning	Shell
Martin	Simpson
Matthews	Skiles
Mills	Smith of Atascosa
Montgomery	Spacek
Moore	Spangler
Morgan	Stanford
Morse	Stinson
Nicholson	Stubbs
Pace	Taylor
Parker	Turner
Pevehouse	Vale
Phillips	Wattner
Price	Weatherford
Rampy	White
Reed of Bowie	Whitesides
Reed of Dallas	

Present—Not Voting

Bray	Jones
Hileman	Markle

Absent

Blankenship	King
Boone	Leyendecker
Daniel	McDonald
Deen	McLellan
Dickson of Nolan	Morris
Eubank	Murray
Gandy	Roark
Hardeman	Sallas
Hartzog	Smith of Bastrop
Hoyo	Voigt
Huddleston	

Absent—Excused

Anderson	Thornton
Dwyer	Walters
Garland	Winfree
Sharpe	

RELATIVE TO HOUSE
BILL NO. 678

Mr. Alsup asked unanimous consent of the House that House Bill No. 678 be so amended so as to show that an emergency clause was added to the bill at the time said bill was finally passed by the House.

There was no objection offered, and it was so ordered.

(Speaker in the Chair.)

BILLS SIGNED BY
THE SPEAKER

The Speaker signed, in the presence of the House, after giving due

notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 282, "An Act regulating fishing in or on Lake Travis and Lake Austin, and defining such lakes, etc.; and declaring an emergency."

H. B. No. 181, "An Act to amend Section 4, Senate Bill No. 28, Chapter 2, of the Acts of the Regular Session of the Forty-fourth Legislature, as amended by Senate Bill No. 485, Chapter 206, of the Acts of the Regular Session of the Forty-fifth Legislature, so as to extend the time of existence of the Special District Court of Rusk County, Texas; and declaring an emergency."

H. B. No. 369, "An Act fixing the salaries and traveling expenses for County Commissioners in counties of not less than twenty-four thousand, nine hundred (24,900) and not more than twenty-five thousand (25,000) inhabitants; and declaring an emergency."

H. B. No. 905, "An Act fixing the compensation of sheriffs in all counties of the State of Texas having a population of not less than twenty-five thousand, five hundred and forty (25,540) and not more than twenty-six thousand and fifty (26,050), according to the last Federal Census, in which there are no district attorneys; providing for the appointment by such sheriffs of such counties of at least one (1) special deputy sheriff and one (1) deputy sheriff; prescribing the powers and duties of such deputies; fixing the compensation therefor; providing mode and manner of payment of such salaries; providing that this Act shall be cumulative of all other acts not in conflict herewith; repealing all laws and parts of laws in conflict to the extent of the conflict only; and declaring an emergency."

H. B. No. 436, "An Act authorizing the Commissioners Court in each county in this State having a population of not less than thirty thousand three hundred and sixty (30,360), nor more than thirty thousand four hundred (30,400), according to the last preceding Federal Census, to allow each County Commissioner certain expense for traveling and in

connection with the use of his automobile on official business only and/or in overseeing the construction work on public roads of the county; requiring each such Commissioner to pay the expense of operation and repair of such vehicle so used by him without any further expense whatsoever to the county; and declaring an emergency."

H. B. No. 924, "An Act providing for a closed season on wild deer and wild turkey in Schleicher County for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

HOUSE BILL ON FIRST READING

The following House Bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Halsey:

H. B. No. 1034, A bill to be entitled "An Act authorizing the Commissioners' Court of Yoakum County to improve and maintain public roads and highways heretofore laid out or constructed, and to construct public roads and highways hereafter laid out by the County, whether such public roads or highways are inside or outside of any incorporated city or town in such county; authorizing the issuance of time warrants for such purposes; declaring that this Act shall be cumulative of all laws when not in conflict therewith, but in case of conflict this Act shall control; providing a saving clause; and declaring an emergency."

Referred to the Committee on Counties.

RECESS

On motion of Mr. Fitzgerald, the House at 12:40 o'clock p. m., took recess until 3:00 o'clock p. m. today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m. and was called to order by the Speaker.

LEAVE OF ABSENCE GRANTED

Mr. Harris of Dallas was granted leave of absence for this afternoon on account of important business on motion of Mr. Bell.

MESSAGE FROM THE SENATE

Austin, Texas, May 14, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 21, A bill to be entitled "An Act amending Section 4 of Chapter 478 of the Regular Session of the Forty-fifth Legislature, 1937, same being House Bill No. 144; providing for an appropriation from the Architects Registration Fund to pay salaries; etc., and declaring an emergency." (With amendments.)

H. B. No. 25, A bill to be entitled "An Act amending Chapter 277, Acts of the Regular Session of the Forty-second Legislature as heretofore amended, by adding Sections 1a and 1b thereto; excepting from the definition of "Motor Carrier" and "Contract Carrier" certain persons, firms, and corporations; etc., and declaring an emergency."

H. B. No. 193, A bill to be entitled "An Act amending Section 1 of H. B. No. 94, Acts, First Called Session, Forty-third Legislature; page 223, Chapter 84, and Articles 29 and 29a of Title 1 of the Revised Civil Statutes of Texas of 1925, so as to define publication, newspaper, political subdivision, district, and other terms; etc., and declaring an emergency."

H. B. No. 218, A bill to be entitled "An Act to provide a hearing as to the sanity or sobriety of persons who have previously been judicially declared to be of unsound mind or habitual drunkards; etc., and declaring an emergency." (With amendments.)

H. B. No. 29, A bill to be entitled "An Act to amend Chapter 5, Title 14, of the Penal Code of Texas of 1925, as amended, by amending Articles 1037 and 1037a relating to weights and measures, and by adding the new Articles; etc., and de-

claring an emergency." (With amendments.)

H. B. No. 123, A bill to be entitled "An Act providing for the revision and compilation of the abstracts of patented, titled, and surveyed land by the Commissioner of the General Land Office; etc., and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Lyle offered the following resolution:

H. C. R. No. 138, To Provide for Adjournment Sine Die.

Whereas, The time is at hand when all good statesmen should cease their labors and permit the people to catch up with the government,

Now, therefore, Be it resolved by the House of Representatives of the 47th Legislature, the Senate concurring, That the regular session of the 47th Legislature adjourn sine die on Saturday the 31st day of May, 1941, at 7:30 p. m.

LYLE,
KERSEY,
McALISTER,
LOVE,
TAYLOR,
McMURRY.

The resolution was read second time.

Mr. Bell moved that the resolution be tabled.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—72

Allison	Brown
Alsup	Bruhl
Avant	Bundy
Baker	Burnaman
Bean	Carlton
Bell	Carrington
Benton	Cato
Brawner	Cleveland
Bray	Coker
Bridgers	Colson, Mrs.

Daniel	McDonald
Deen	McGlasson
Dove	McLellan
Ellis	Manford
Favors	Manning
Files	Markle
Hanna	Martin
Hargis	Mills
Harris of Hill	Montgomery
Hartzog	Morris
Hileman	Morse
Hobbs	Phillips
Huddleston	Reed of Bowie
Hughes	Reed of Dallas
Hutchinson	Rhodes
Isaacks	Roark
Jones	Sallas
Kelly	Shell
Kinard	Simpson
Klingeman	Skiles
Lansberry	Smith of Atascosa
Lehman	Stanford
Leyendecker	Stubbs
Little	Wattner
Lowry	Weatherford
Lucas	White

Yeas—59

Allen	Kersey
Bailey	King
Boone	Knight
Bullock	Lock
Burkett	Love
Chambers	Lyle
Connelly	McAlister
Clark	McCann
Craig	McMurry
Crothwait	McNamara
Davis	Matthews
Dickson of Bexar	Moore
Donald	Morgan
Duckett	Murray
Evans	Nicholson
Ferguson	Pace
Fitzgerald	Parker
Gandy	Pevehouse
Gilmer	Price
Goodman	Rampy
Halsey	Ridgeway
Hardeman	Roberts
Heflin	Senterfitt
Helpinstill	Smith of Bastrop
Howard	Spacek
Howington	Taylor
Hoyo	Turner
Huffman	Vale
Humphrey	Walters
Kennedy	

Absent

Blankenship	Crossley
Celaya	Dickson of Nolan

Eubank	Spangler
Fuchs	Stinson
Garland	Voigt
Henderson	Whitesides

Absent—Excused

Anderson	Sharpe
Dwyer	Thornton
Harris of Dallas	Winfree

RELATIVE TO PURCHASE OF
TEXAS ALMANACS

Mr. Alsup moved to reconsider the vote by which the House agreed, on motion of Mr. Blankenship, to purchase the current Texas Almanac for Members and charge same to the expense accounts of Members.

Mr. Kersey moved to table the motion by Mr. Alsup.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—39

Boone	Knight
Bray	Leyendecker
Brown	Little
Bruhl	Lock
Bundy	McCann
Burnaman	McGlasson
Craig	McMurry
Davis	McNamara
Donald	Montgomery
Duckett	Morgan
Favors	Parker
Fuchs	Rhodes
Hargis	Senterfitt
Heflin	Smith of Bastrop
Helpinstill	Smith of Atascosa
Hileman	Stanford
Howington	Stubbs
Hutchinson	Vale
Kersey	Weatherford
Klingeman	

Nays—72

Allen	Carlton
Allison	Carrington
Alsup	Cato
Avant	Chambers
Bailey	Clark
Baker	Cleveland
Benton	Coker
Bridgers	Connelly
Bullock	Crothwait
Burkett	Daniel

Deen	Lyle
Dickson of Bexar	McDonald
Ellis	McLellan
Eubank	Manning
Ferguson	Markle
Files	Matthews
Gandy	Moore
Gilmer	Morris
Goodman	Morse
Halsey	Murray
Hardeman	Nicholson
Harris of Hill	Pace
Howard	Phillips
Hoyo	Price
Huddleston	Rampy
Hughes	Reed of Bowie
Humphrey	Ridgeway
Isaacks	Roark
Kelly	Roberts
Kennedy	Skiles
Kinard	Spacek
King	Taylor
Lansberry	Walters
Lehman	Wattner
Love	White
Lucas	Whitesides

Present—Not Voting

Evans	Hobbs
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Absent

Bean	Jones
Bell	Lowry
Blankenship	McAlister
Brawner	Manford
Celaya	Martin
Colson, Mrs.	Mills
Crossley	Pevehouse
Dickson of Nolan	Reed of Dallas
Dove	Sallas
Fitzgerald	Shell
Garland	Simpson
Hanna	Spangler
Hartzog	Stinson
Henderson	Turner
Huffman	Voigt

Absent—Excused

Anderson	Sharpe
Dwyer	Thornton
Harris of Dallas	Winfree

Question then recurring on the motion to reconsider, it prevailed.

Question: Shall the motion by Mr. Blankenship, that the Contingent Expense Committee be instructed to purchase the current Texas Almanac for Members and charge the same

to the Member's respective accounts prevail?

The motion was lost.

MESSAGE FROM THE SENATE

Austin, Texas, May 14, 1941.

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

S. C. R. No. 59, Requesting Congress to provide for an emergency in transportation and thereby aid our Allies, etc.

S. C. R. No. 60, Authorizing the Enrolling Clerk of the Senate to amend the caption of Senate Bill No. 437, etc.

S. C. R. No. 61, Memorializing the death of Mrs. C. N. Shaver, etc.

The Senate has concurred in House amendments to Senate Bill No. 465 by a viva voce vote.

Passed

H. B. No. 98, A bill to be entitled "An Act authorizing and directing the Board of Regents of the University of Texas to request the War and Navy Departments of the United States to establish and maintain military and naval training at said institution, etc.; and declaring an emergency."

H. B. No. 251, A bill to be entitled "An Act making an appropriation for the use of the San Antonio River Canal and Conservancy District, etc.; and declaring an emergency."

H. B. No. 392, A bill to be entitled "An Act making an emergency supplemental appropriation for the sum of Seven Thousand, Three Hundred and Seventy-five Dollars (\$7,375) for certain divisions of the State Department of Education, etc.; and declaring an emergency."

H. B. No. 440, A bill to be entitled "An Act to make it unlawful to shoot, kill, maim, injure, molest, entrap, or detain an Antwerp Messenger or Homing Pigeon, commonly called a 'carrier pigeon,' etc.; and declaring an emergency."

H. B. No. 854, A bill to be entitled "An Act authorizing independent

school districts, upon the order of their trustees, with the consent of the State Superintendent of Public Instruction, to execute an oil and/or gas lease, or sell, exchange, and convey the minerals, or any part thereof, belonging to said school district and to apply any proceeds to the purchase of necessary ground or to the building or repairing of school-houses, etc.; and declaring an emergency." (With amendments.)

H. B. No. 202, A bill to be entitled "An Act amending Article 3148, Revised Civil Statutes of Texas, 1925, so as to provide for the services of notice in a primary election contest upon the opposing candidate, etc.; and declaring an emergency."

H. B. No. 203, A bill to be entitled "An Act amending Article 3152, Revised Civil Statutes of Texas, 1925, as amended by Acts 1927, Fortieth Legislature, Chapter 19, and as further amended by Acts 1931, Forty-second Legislature, Chapter 241, providing for the service upon the contestee in a primary nomination contest of a copy of the grounds of contest together with the notice of the date set for hearing by providing that service may be had upon the agent or attorney of the contestee, etc.; and declaring an emergency."

H. B. No. 411, A bill to be entitled "An Act providing that any sheriff or deputy sheriff who in the fulfillment of the duties of his office leaves the county in which he holds office to secure and return a prisoner indicted for a criminal offense of the grade of a felony shall be entitled to receive Five (5¢) Cents per mile for transportation, etc.; and declaring an emergency." (With amendments.)

H. B. No. 538, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas the sum of Eight Thousand, Four Hundred and Fifty Dollars and Ninety-nine Cents (\$8,450.99), to cover taxes due by the State of Texas to Fort Bend County, etc.; and declaring an emergency." (With amendments.)

H. B. No. 866, A bill to be entitled "An Act making an appropriation out of the State Highway Fund for refunding donations made for the

purpose of making surveys and investigation on Highway No. 22, etc.; and declaring an emergency."

Respectfully,

BOB BARKER,

Secretary of the Senate.

SUSPENDING CERTAIN JOINT
RULES TO CONSIDER
HOUSE BILL
NO. 228

Mr. Manning offered the following resolution:

H. C. R. No. 139, Suspending certain Joint Rules to consider House Bill No. 228.

Be it resolved by the House, the Senate concurring, That the Joint Rules be suspended so that the House may take up and consider House Bill No. 228, a local bill affecting Shelby, Sabine and San Augustine Counties, on Thursday, May 15, 1941.

The resolution was read second time and was adopted by the following vote:

Yeas—74

Allen	Henderson
Allison	Hileman
Alsup	Hobbs
Avant	Hoyo
Baker	Huddleston
Boone	Hughes
Bray	Humphrey
Brown	Hutchinson
Bullock	Jones
Burnaman	Kelly
Cato	Kennedy
Celaya	Knight
Clark	Leyendecker
Coker	Lowry
Daniel	Lucas
Deen	Lyle
Donald	McCann
Dove	McDonald
Duckett	McMurry
Ellis	Manford
Evans	Manning
Favors	Markle
Ferguson	Matthews
Files	Montgomery
Fuchs	Morris
Gandy	Morse
Hargis	Murray
Harris of Hill	Price
Hartzog	Rampy
Heflin	Reed of Bowie
Helpinstill	Reed of Dallas

Rhodes	Vale
Roark	Walters
Sallas	Wattner
Simpson	Weatherford
Spacek	White
Taylor	Whitesides

Nays—46

Bailey	Isaacks
Bean	Kersey
Bell	Kinard
Benton	King
Bridgers	Klingeman
Bruhl	Lansberry
Burkett	Lehman
Carlton	Love
Carrington	McLellan
Chambers	McNamara
Cleveland	Moore
Connelly	Morgan
Craig	Nicholson
Crossley	Pace
Davis	Parker
Dickson of Bexar	Phillips
Eubank	Ridgeway
Fitzgerald	Roberts
Halsey	Senterfitt
Hanna	Smith of Bastrop
Hardeman	Smith of Atascosa
Howard	Stanford
Howington	Voigt

Present—Not Voting

Huffman

Absent

Blankenship	McAlister
Brawner	McGlasson
Bundy	Martin
Colson, Mrs.	Mills
Crosthwait	Pevehouse
Dickson of Nolan	Shell
Garland	Skiles
Gilmer	Spangler
Goodman	Stinson
Harris of Dallas	Stubbs
Little	Turner
Lock	

Absent—Excused

Anderson	Thornton
Dwyer	Winfree
Sharpe	

SENATE BILL NO. 5 ON PAS-
SAGE TO THIRD READING

The Speaker laid before the House, as unfinished business, on its passage to third reading,

S. B. No. 5, A bill to be entitled "An Act granting and donating to

each respective county of this State for a period of five (5) years, beginning with the taxable year 1942, one-half of the State ad valorem taxes for general revenue purposes not heretofore donated or appropriated, etc.; and declaring an emergency."

The bill having heretofore been read second time.

Mr. Morris moved to recommit Senate Bill No. 5 to the Committee on State Affairs.

Mr. Hartzog moved to table the motion by Mr. Morris.

(Pending consideration of the motion to table, Mr. Reed of Dallas occupied the Chair temporarily.)

(Speaker in the Chair.)

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced, as follows: Yeas, 61; nays, 62.

A verification of the vote was requested.

Mr. Morgan moved a call of the House pending the verification, and the call was duly ordered.

The roll of the "yeas" and "nays" was again called and the verified vote resulted as follows:

Yeas—63

Allen	Evans
Alsup	Files
Bailey	Goodman
Baker	Hargis
Bean	Hartzog
Bell	Helpinstill
Boone	Hileman
Bray	Hobbs
Brown	Howard
Burnaman	Hoyo
Celaya	Huddleston
Chambers	Hutchinson
Craig	Jones
Crossley	Kinard
Crosthwait	King
Daniel	Klingeman
Davis	Knight
Deen	Lehman
Dickson of Bexar	Leyendecker
Donald	Love
Duckett	Lowry

Lucas	Sallas
Lyle	Simpson
McGlasson	Smith of Bastrop
McLellan	Spacek
McMurry	Stubbs
McNamara	Turner
Manning	Vale
Murray	Weatherford
Pace	White
Rampy	Whitesides
Reed of Dallas	

Nays—64

Allison	Kennedy
Avant	Kersey
Benton	Lansberry
Brawner	Little
Bridgers	McCann
Bruhl	McDonald
Bullock	Manford
Bundy	Martin
Burkett	Matthews
Carlton	Mills
Carrington	Moore
Cato	Morgan
Clark	Morris
Cleveland	Morse
Connelly	Nicholson
Ellis	Parker
Eubank	Pevehouse
Favors	Phillips
Ferguson	Price
Fitzgerald	Reed of Bowie
Gandy	Ridgeway
Gilmer	Rhodes
Halsey	Roark
Hanna	Roberts
Hardeman	Senterfitt
Harris of Hill	Skiles
Henderson	Smith of Atascosa
Howington	Spangler
Huffman	Stanford
Hughes	Voigt
Humphrey	Walters
Isaacks	Wattner

Present—Not Voting

Markle

Absent

Blankenship	Kelly
Coker	Lock
Colson, Mrs.	McAlister
Dickson of Nolan	Montgomery
Dove	Shell
Fuchs	Stinson
Garland	Taylor
Heflin	

Absent—Excused

Anderson	Dwyer
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Harris of Dallas	Thornton
Sharpe	Winfree

The Speaker announced that the motion to table the motion to recommit Senate Bill No. 5 to the Committee on State Affairs was lost.

(Pending consideration of the motion to recommit, Mr. Skiles and Mr. McMurry occupied the Chair temporarily.)

(Speaker in the Chair.)

Question then recurring on the motion to recommit Senate Bill No. 5 to the Committee on State Affairs, yeas and nays were demanded.

The motion to recommit prevailed by the following vote:

Yeas—66

Allison	Huffman
Avant	Hughes
Bean	Humphrey
Bell	Isaacks
Blankenship	Jones
Brawner	Kelly
Bridgers	Kennedy
Bruhl	Kersey
Bullock	Lansberry
Bundy	McCann
Burkett	McDonald
Carlton	Martin
Carrington	Matthews
Cato	Mills
Chambers	Moore
Cleveland	Morgan
Clark	Morris
Connelly	Murray
Ellis	Nicholson
Evans	Parker
Favors	Price
Ferguson	Reed of Bowie
Fitzgerald	Ridgeway
Fuchs	Rhodes
Gandy	Roark
Gilmer	Roberts
Halsey	Senterfitt
Hanna	Skiles
Hardeman	Smith of Atascosa
Harris of Dallas	Stanford
Harris of Hill	Voigt
Henderson	Walters
Howington	Wattner

Yeas—63

Allen	Benton
Alsup	Boone
Bailey	Bray
Baker	Brown

Burnaman	Lehman
Celaya	Leyendecker
Coker	Love
Craig	Lowry
Crossley	Lucas
Crosthwait	Lyle
Daniel	McGlasson
Davis	McLellan
Deen	McMurry
Dickson of Bexar	McNamara
Donald	Manning
Dove	Montgomery
Duckett	Pace
Eubank	Pevehouse
Goodman	Phillips
Hargis	Rampy
Hartzog	Reed of Dallas
Helpinstill	Sallas
Hileman	Shell
Hobbs	Simpson
Howard	Smith of Bastrop
Hoyo	Spacek
Huddleston	Taylor
Hutchinson	Vale
Kinard	Weatherford
King	White
Klingeman	Whitesides
Knight	

Present—Not Voting

Markle

Absent

Colson, Mrs.	McAlister
Dickson of Nolan	Manford
Files	Morse
Garland	Spangler
Heflin	Stinson
Little	Stubbs
Lock	Turner

Absent—Excused

Anderson	Thornton
Dwyer	Winfree
Sharpe	

RELATIVE TO SENATE BILL NO. 5

Mr. Alsup moved to instruct the Committee on State Affairs to report Senate Bill No. 5 back to the House by 10:00 o'clock a. m. next Monday.

Mr. Morris moved to amend the motion by Mr. Alsup that the Attorney General be requested for an opinion as to the constitutionality of Senate Bill No. 5 as reported back to the House.

The amendment by Mr. Morris was adopted.

Question then recurring on the motion by Mr. Alsup, as amended, it was adopted.

SUSPENDING CERTAIN JOINT RULES

Mr. Lyle offered the following resolution:

H. C. R. No. 140. Suspending Certain Joint Rules to consider House Bill No. 909.

Whereas, There is pending in the House of Representatives House Bill No. 909, a bill calculated to guarantee equal rights to all members of the Caucasian race.

Whereas, Said bill is of vital importance to the good will and good neighborly policy between this country and the countries to the south,

Therefore, Be It Resolved, That the House of Representatives, the Senate concurring, be allowed to suspend the joint rules for the consideration of this bill on Senate Bill Day.

The resolution was read second time and was adopted.

HOUSE BILL NO. 515 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 515, A bill to be entitled "An Act applicable to the County of Tom Green, State of Texas, prohibiting the transportation of minnows beyond the borders of said county for the purpose of sale; limiting the number of minnows to be transported beyond the limits of said county; prohibiting the use of trotlines or throwlines containing more than twenty-five (25) hooks; limiting the use of such lines to a maximum of two such lines to any person or group of persons; providing for a closed season on fishing in said county, with certain exceptions; providing legal length of catfish in said county; providing the daily bag limit of catfish; providing penalties for any violation of this Act; and declaring an emergency."

The bill was read second time.

Mr. Hardeman offered the following amendment to the bill:

Amend House Bill No. 515 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. The provisions of this Act shall apply only to the County of Tom Green, State of Texas.

"Sec. 2. It shall be unlawful to transport any minnows from Tom Green County for the purpose of sale, or for any one to transport any minnows captured in said County out of said County for any purpose more than two hundred (200) minnows in any one day.

"Sec. 3. It shall be unlawful for any person to use any trotline or throwline with more than twenty-five (25) hooks thereon, and any individual or group of individuals, in the same party, are limited to two such lines of twenty-five (25) hooks each, or an aggregate of fifty (50) hooks, whether used on two or more lines.

"Sec. 4. It shall be unlawful from February 15 to April 30, inclusive, of each year for any one to take or attempt to take, from any of the waters of Tom Green County, any fresh water fish, except suckers, carp and gar, which said suckers, carp, and gar may be taken during the time specified above by the use of wire loop only.

"Sec. 5. It shall be unlawful in the County of Tom Green for any person to take or have in his possession any catfish less than eleven (11) inches in length.

"Sec. 6. It shall be unlawful in the County of Tom Green for any person to take in any one day or to have in his possession at any one time more than fifteen (15) catfish.

"Sec. 7. Any person violating any provision of this Act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than Five Dollars (\$5.00) nor more than Fifty Dollars (\$50.00).

"Sec. 8. All laws or parts of laws in conflict herewith are hereby repealed."

The amendment was adopted.

Mr. Hardeman offered the following amendment to the bill:

Amend House Bill No. 515 by strik-

ing out all above the enacting clause and substituting in lieu thereof the following:

"An Act applicable to the County of Tom Green, State of Texas, prohibiting the transportation of minnows beyond the borders of said County for the purpose of sale; limiting the number of minnows to be transported beyond the limits of said County; prohibiting the use of trotlines or throwlines containing more than twenty-five (25) hooks; limiting the use of such lines to a maximum of two such lines to any person or group of persons; providing for a closed season on fishing in said County, with certain exceptions; providing legal length of catfish in said County; providing the daily bag limit of catfish; and providing penalties for any violation of this Act."

The amendment was adopted.

House Bill No. 515 was then passed to engrossment.

HOUSE BILL NO. 515 ON THIRD READING

Mr. Hardeman moved that the Constitutional Rule requiring bills to be read on three several days be suspended, and that House Bill No. 515 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

Allen	Colson, Mrs.
Allison	Crossley
Alsup	Crosthwait
Avant	Daniel
Bailey	Davis
Baker	Deen
Benton	Donald
Blankenship	Dove
Brawner	Duckett
Bray	Eubank
Brown	Evans
Bullock	Ferguson
Bundy	Files
Burkett	Fitzgerald
Carlton	Gandy
Carrington	Halsey
Cato	Hanna
Celaya	Hardeman
Clark	Hargis
Cleveland	Heflin
Coker	Helpinstill

Henderson	Markle
Hileman	Matthews
Hobbs	Mills
Howard	Moore
Hoyo	Morgan
Huffman	Morris
Hughes	Morse
Humphrey	Murray
Hutchinson	Parker
Isaacks	Phillips
Jones	Price
Kelly	Rampy
Kennedy	Reed of Bowie
Kersey	Reed of Dallas
Kinard	Ridgeway
King	Roark
Klingeman	Roberts
Knight	Sallas
Lansberry	Senterfitt
Lehman	Shell
Little	Skiles
Lowry	Smith of Bastrop
Lucas	Smith of Atascosa
Lyle	Spacek
McCann	Stanford
McDonald	Taylor
McGlasson	Vale
McLellan	Walters
McMurry	Wattner
McNanara	Weatherford
Manford	White
Manning	Whitesides

Nays—5

Boone	Love
Craig	Simpson
Goodman	

Present—Not Voting

Burnaman

Absent

Bean	Howington
Bell	Huddleston
Bridgers	Leyendecker
Bruhl	Lock
Chambers	McAlister
Connelly	Martin
Dickson of Bexar	Montgomery
Dickson of Nolan	Nicholson
Ellis	Pace
Favors	Pevelhouse
Fuchs	Rhodes
Garland	Spangler
Gilmer	Stinson
Harris of Dallas	Stubbs
Harris of Hill	Turner
Hartzog	Voigt

Absent—Excused

Anderson	Dwyer
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Sharpe	Winfree
Thornton	

The Speaker then laid House Bill No. 515 before the House on third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106

Allen	Kelly
Allison	Kennedy
Alsup	Kersey
Avant	Kinard
Bailey	King
Baker	Klingeman
Benton	Knight
Blankenship	Lansberry
Brawner	Lehman
Bray	Little
Brown	Lowry
Bullock	Lucas
Bundy	Lyle
Burkett	McCann
Carlton	McDonald
Carrington	McGlasson
Cato	McLellan
Celaya	McMurry
Clark	McNamara
Cleveland	Manford
Coker	Manning
Colson, Mrs.	Markle
Crossley	Matthews
Crosthwait	Mills
Daniel	Moore
Davis	Morgan
Deen	Morris
Donald	Morse
Dove	Murray
Duckett	Parker
Eubank	Phillips
Evans	Price
Ferguson	Rampy
Files	Reed of Bowie
Fitzgerald	Reed of Dallas
Gandy	Ridgeway
Halsey	Roark
Hanna	Roberts
Hardeman	Sallas
Hargis	Senterfitt
Heflin	Shell
Helpinstill	Skiles
Henderson	Smith of Bastrop
Hileman	Smith of Atascosa
Hobbs	Spacek
Howard	Stanford
Hoyo	Taylor
Huffman	Vale
Hughes	Walters
Humphrey	Wattner
Hutchinson	Weatherford
Isaacks	White
Jones	Whitesides

Nays—5

Boone	Love
Craig	Simpson
Goodman	

Present—Not Voting

Burnaman

Absent

Bean	Howington
Bell	Huddleston
Bridgers	Leyendecker
Bruhl	Lock
Chambers	McAlister
Connelly	Martin
Dickson of Bexar	Montgomery
Dickson of Nolan	Nicholson
Ellis	Pace
Favors	Pevehouse
Fuchs	Rhodes
Garland	Spangler
Gilmer	Stinson
Harris of Dallas	Stubbs
Harris of Hill	Turner
Hartzog	Voigt

Absent—Excused

Anderson	Thornton
Dwyer	Winfree
Sharpe	

HOUSE BILL NO. 21 WITH
SENATE AMENDMENTS

Mr. Reed of Dallas, called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 21, A bill to be entitled "An Act to amend House Bill No. 144 of the 45th Legislature by striking out Section 4 of said Act and substituting in lieu thereof, a provision providing for an appropriation fund to pay salaries, compensation, and other expenses of said Board; repealing all laws in conflict with this Act; and declaring an emergency."

On motion of Mr. Reed of Dallas, the House concurred in the Senate amendments by the following vote:

Yeas—107

Allen	Baker
Allison	Bean
Alsup	Benton
Avant	Boone
Bailey	Bray

Bridgers	Knight
Brown	Lansberry
Bullock	Lehman
Bundy	Little
Burkett	Lock
Burnaman	Love
Carlton	Lowry
Carrington	Lucas
Cato	Lyle
Celaya	McCann
Cleveland	McDonald
Coker	McGlasson
Colson, Mrs.	McMurry
Crossley	McNamara
Crosthwait	Manford
Daniel	Markle
Davis	Matthews
Deen	Mills
Donald	Montgomery
Dove	Morgan
Duckett	Morris
Eubank	Morse
Evans	Murray
Favors	Pace
Ferguson	Parker
Fitzgerald	Phillips
Gandy	Price
Gilmer	Rampy
Goodman	Reed of Bowie
Halsey	Reed of Dallas
Hanna	Ridgeway
Hargis	Roark
Harris of Hill	Roberts
Helpinstill	Sallas
Henderson	Senterfitt
Hileman	Shell
Howard	Simpson
Hoyo	Skiles
Huffman	Smith of Atascosa
Hughes	Spacek
Humphrey	Stanford
Hutchinson	Taylor
Isaacks	Vale
Jones	Walters
Kelly	Wattner
Kennedy	Weatherford
Kersey	White
Kinard	Whitesides
Klingeman	

Absent

Bell	Fuchs
Blankenship	Garland
Brawner	Hardeman
Bruhl	Harris of Dallas
Chambers	Hartzog
Clark	Heflin
Connelly	Hobbs
Craig	Howington
Dickson of Bexar	Huddleston
Dickson of Nolan	King
Ellis	Leyendecker
Files	McAlister

McLellan	Smith of Bastrop
Manning	Spangler
Martin	Stinson
Moore	Stubbs
Nicholson	Turner
Pevhouse	Voigt
Rhodes	

Absent—Excused

Anderson	Thornton
Dwyer	Winfree
Sharpe	

**APPOINTMENT OF CONFERENCE
COMMITTEE ON HOUSE
JOINT RESOLUTION
NO. 24**

The Speaker announced the appointment of the following Conference Committee on House Joint Resolution No. 24:

Messrs. Heflin, Stinson, Ridgeway, McAlister and Simpson.

AUTHORIZING CERTAIN CORRECTIONS IN SENATE BILL NO. 437

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 60, Authorizing certain corrections in Senate Bill No. 437.

Resolved, By the Senate, the House of Representatives concurring, That the Enrolling Clerk of the Senate be instructed to add the following to the caption of Senate Bill No. 437:

"and validating the acts of the the County Board of Trustees of Bosque County in ordering an election combining Common School Districts and Clifton Independent School District"; which bill has been finally passed to enrollment but the caption of said bill does not conform with the body thereof.

The resolution was read second time and was adopted.

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 391, "An Act amending

Chapter 100 of the Acts of the Forty-fourth Legislature, Regular Session, by adding thereto a section to be known as Section 33-A; providing that every sale or contract of sale of any security in violation of any provisions of Chapter 100 shall be voidable at the election of the purchaser; providing how the purchaser may recover at law, the time that such actions may be brought; and providing an exemption when the purchase price is a royalty or a mineral interest in land and such security is sold through an unregistered agent; providing the time when any existing cause of action not now barred may be brought; and by adding thereto a section to be known as Section 33-B, providing that no action shall be brought in any court for the recovery of any commission or compensation for the sale or purchase of securities unless plaintiff in such action shall prove that he is a licensed dealer or salesman under the provisions of this Act and that such securities were registered under the provisions of this Act, and providing certain exceptions thereto; and declaring an emergency."

H. B. No. 902, "An Act amending Section 17a of Chapter 280, Acts of the Regular Session of the Forty-first Legislature, amending Chapter 25, Acts of the Regular Session of the Thirty-ninth Legislature; providing that water control and improvement districts may purchase, own and operate fire engines and all necessary fire-fighting equipment and appliances; validating all purchases of fire engines, equipment and appliances heretofore made by water control and improvement districts; providing that nothing in this Act shall amend, alter, repeal or modify Senate Bill No. 299 or Senate Bill No. 300, Acts Regular Session, Forty-seventh Legislature; and declaring an emergency."

H. B. No. 753, "An Act amending subsection (n), Section 19, Chapter 482, Acts of the Forty-fourth Legislature, Third Called Session, as amended in subsection (n), Section 19, Chapter 67, Acts of the Forty-fifth Legislature, etc.; and declaring an emergency." (With amendments.)

HOUSE BILLS ON FIRST
READING

The following House Bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Pevehouse:

H. B. No. 1035, A bill to be entitled "An Act defining the jurisdiction of the county court of Hill County and diminishing its civil and criminal jurisdiction; providing that the District Court of Hill County shall have jurisdiction in all civil and criminal matters over which by law the County Court would have original and appellate jurisdiction; providing for the transfer of civil and criminal causes from the County Court to the District Court of Hill County; providing the Act shall not affect judgments heretofore rendered by said County Court in causes now transferred to the District Court of said County; providing for the repeal of all laws in conflict therewith; and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Sallas:

H. B. No. 1036, A bill to be entitled "An Act validating all consolidated rural high school districts having a scholastic population of not less than 250 and not more than 700 according to the last preceding scholastic enumeration, and located in counties having a population of not less than thirty-one thousand one hundred and twenty (31,120) and not more than thirty-one thousand one hundred and thirty (31,130) inhabitants according to the last preceding Federal Census, created by an act of the County Board of Trustees out of a district or districts which had theretofore been a consolidated school district or districts; validating all elections, the levying of taxes, bond issues and taxes levied therefor and all bonds voted but not issued; providing that this Act shall not apply to any district now involved in tax litigation; and declaring an emergency."

Referred to the Committee on School Districts.

Mr. Morris asked unanimous consent to introduce at this time and have placed on first reading House Bill No. 1037.

There was no objection.

The Speaker then laid the bill before the House, it was read first time and referred to the appropriate committee, as follows:

By Mr. Morris and Mr. Reed of Dallas:

H. B. No. 1037, A bill to be entitled, "An Act amending Article X of House Bill No. 8, Acts, Regular Session, Forty-seventh Legislature, so as to define the terms 'new,' 'cosmetics,' and 'playing cards'; and declaring an emergency."

Referred to the Committee on Appropriations.

ADJOURNMENT

On motion of Mr. Kersey, the House at 5:55 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following Committees have filed favorable reports on bills and resolutions, as follows:

State Affairs: House Concurrent Resolution No. 131.

Game and Fisheries: House Bill No. 1031.

Privileges, Suffrage, and Elections: House Bill No. 1032.

REPORTS OF THE COMMITTEE
ON ENGROSSED BILLS

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 131, Granting W. F. Howell and wife permission to sue the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 134, Authorizing the Enrolling Clerk of the House of Representatives to make certain necessary corrections in House Bill No. 903.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 137, Authorizing the Enrolling Clerk to make necessary correction in House Bill No. 978.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 132, Authorizing the Enrolling Clerk to make certain corrections in House Bill No. 354.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 139, Granting the House of Representatives permission to suspend the Joint Rules and take up and consider House Bill No. 228, on Wednesday, May 14, 1941.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, May 13, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 942, A bill to be entitled "An Act amending Section 6, Chapter 2, Acts of Forty-second Legislature, Fourth Called Session, as amended by Section 9, Chapter 76, Acts of the Forty-fourth Legislature, Regular Session, and providing that the Railroad Commission shall limit production of crude petroleum oil in this State to the reasonable market demand therefor, providing that the allowable production of oil shall be allocated among the pools in the State by the Railroad Commission; providing that the Railroad Commission shall ascertain the reasonable market demand; providing that certain factors shall be considered by the Railroad Commission in determining reasonable market demand; providing that certain factors shall be considered by the Railroad Commission in allocating and apportioning the allowable production of oil among the pools in this State; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 937, "An Act providing for a closed season for turkey in Angelina and Tyler Counties for five (5) years; prescribing a penalty for the violation of this Act; and repealing all laws in conflict."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 436, "An Act authorizing the Commissioners Court in each county in this State having a population of not less than thirty thousand, three hundred and sixty (30,360) nor more than thirty thousand, four hundred (30,400), and in any county in this State having a population of not less than thirty-eight thousand (38,000) nor more than eighty-five thousand (85,000), according to the last preceding Federal Census, to allow each County Commissioner certain expenses for traveling and in connection with the use of his automobile on official business only and/or in overseeing the construction work on public roads of the county; requiring each such Commissioner to pay the expense of operation and repair of such vehicle so used by him without any further expense whatsoever to the county; providing for the filing of itemized sworn expense accounts; authorizing the Commissioners Court in any county having a population of not less than thirty-eight thousand (38,000) and not more than eighty-five thousand (85,000), according to the last preceding Federal Census to allow each county judge certain expenses, same to be paid on sworn account out of the general revenue of such county; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 924, "An Act providing for a closed season on wild deer and wild turkey in Schliecher County for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 905, "An Act fixing the compensation of sheriffs in all counties of the State of Texas having a population of not less than twenty-five thousand, six hundred (25,600) and not more than twenty-five thousand, eight hundred and eighty-nine (25,889), according to the last Federal Census, in which there are no district attorneys; providing for the appointment by such sheriffs of such counties of at least one special deputy sheriff and one deputy sheriff; prescribing the powers and duties of such deputies; fixing the compensation therefor; providing mode and manner of payment of such salaries; providing that this Act shall be cumulative of all other Acts not in conflict herewith; repealing all laws and parts of laws in conflict to the extent of the conflict only; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 902, "An Act Amending Section 17a of Chapter 280, Acts of the Regular Session of the Forty-first Legislature, amending Chapter 25, Acts of the Regular Session of the Thirty-ninth Legislature; providing that water control and improvement districts may purchase, own, and operate fire engines and all necessary fire-fighting equipment and appliances; validating all purchases of fire engines, equipment, and appliances heretofore made by water control and improvement districts; providing that nothing in this Act shall amend, alter, repeal, or modify Senate Bill No. 299 or Senate Bill No. 300, Acts, Regular Session, Forty-seventh Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 391, "An Act Amending Chapter 100 of the Acts of the Forty-fourth Legislature, Regular Session, by adding thereto a Section to be known as Section 33a; providing that every sale or contract of sale of any security in violation of any provisions of Chapter 100 shall be voidable at the election of the purchaser; providing how the purchaser may recover at law, and limiting the period within which such action may be brought after discovery by the purchaser of violation of this Chapter or any provision or part thereof; providing the time when any existing cause of action not now barred may be brought; and by adding thereto a Section to be known as Section 33b, providing that no action shall be brought in any court for the recovery of any commission or compensation for the sale or purchase of securities unless plaintiff in such action shall prove that he is a licensed dealer or salesman under the provisions of this Act and that such securities were registered under the provisions of this Act, and providing certain exceptions thereto; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 373, "An Act further regulating the prescribing of liquor for medicinal purposes and the transportation storage, and sale thereof by amending Subsections (11) and (18) of Section 15, Article I, Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by House Bill No. 5, Acts of the Regular Session of the Forty-fifth Legislature, and by the addition of a new Subsection (19) to said Section 15, Article I; Prescribing penalties; providing saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 369, "An Act fixing the salaries and traveling expenses for County Commissioners in counties of not less than twenty-four thousand, nine hundred (24,900) and not more than twenty-five thousand (25,000) inhabitants; and fixing traveling expenses for County Commissioners in counties having a population of not less than fifty thousand (50,000) and not exceeding sixty thousand (60,000) inhabitants, and having an assessed valuation exceeding Seventy-five Million Dollars (\$75,000,000) according to the last approved tax rolls for the preceding year; repealing all laws and parts of laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 753, "An Act Amending Section 19, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, as amended by Section 7, Chapter 67, General and Special Laws of the Forty-fifth Legislature, Regular Session, as amended by Section 10, Chapter 2, General Laws of the Forty-sixth Legislature, Regular Session; defining certain terms; providing the provisions of this Act shall repeal all parts of Chapter 482, General and Special Laws, Forty-fourth Legislature, Third Called Session, as amended by Chapter 67, General and Special Laws, Forty-fifth Legislature, Regular Session, as amended by Chapter 2, Title "Labor," General Laws, Forty-sixth Legislature, Regular Session, in conflict herewith, and all laws or parts of laws in conflict herewith, but shall in no way be construed as forfeiting or waiving any rights of the State of Texas or the

Texas Unemployment Compensation Commission, including without limiting the foregoing, the right to collect contributions, interest or penalties that have accrued under said Chapter, and the right of prosecution for violating any provision thereof; exempting the employees of railroad corporations which come within the purview of the Railway Labor Act or which are in anywise under the supervision of the Interstate Commerce Commission under the Fair Labor Standards Law or the Wages and Hours Law of the United States from the provisions of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, May 14, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 181, "An Act to amend Section 4, Senate Bill No. 28, Chapter 2, of the Acts of the Regular Session of the Forty-fourth Legislature, as

amended by Senate Bill No. 485, Chapter 206, of the Acts of the Regular Session of the Forty-fifth Legislature, so as to extend the time of existence of the Special District Court of Rusk County, Texas; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

May 14, 1941

House Bill No. 349.
House Bill No. 775.
House Bill No. 777.
House Bill No. 144.
House Bill No. 819.
House Bill No. 373.
House Bill No. 776.
House Bill No. 795.
House Bill No. 937.
House Bill No. 924.
House Bill No. 369.
House Bill No. 181.
House Bill No. 436.
House Bill No. 905.
House Concurrent Resolution No. 125.

In Memory of
Mrs. C. N. Shaver

Mr. Kelly offered the following resolution:

H. S. R. No. 267, In Memory of Mrs. C. N. Shaver.

Whereas, On the 13th day of May, 1941, the Supreme Authority of the Universe softly closed the earthly book of life of Mrs. C. N. Shaver, the beloved wife of Dr. C. N. Shaver, President of Sam Houston State Teachers College, at Huntsville, Texas, and a former Member of this legislative body; and

Whereas, This good lady braved all the hardships of present earthly living with the same faith in her Creator, and with the same helping hand for those who needed physical or spiritual aid; and

Whereas, Her passage from her community has left a memory of her many kind deeds, and deep sorrow in the hearts of her beloved family and her innumerable friends;

Therefore, be it resolved by the House of Representatives, 47th Legislature, That the Members thereof express their deep regrets on the passing of this beloved lady, and that we extend our heartfelt sympathies to the surviving members of her family; and

Be it further resolved, That when the House adjourns today, it do so in memory of Mrs. C. N. Shaver; that a page of the House Journal of today be dedicated to her memory, and that the Chief Clerk of the House be instructed to send two copies of this resolution to her beloved husband, Dr. C. N. Shaver, for the respective members of her family.

KELLY.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. McDonald, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.

In Memory of
Dr. L. H. Bush

Mr. Kelly offered the following resolution:

H. S. R. No. 268, In Memory of Dr. L. H. Bush.

Whereas, On the 14th day of May, 1941, our Creator called to rest Dr. L. H. Bush, of Huntsville, Texas; and

Whereas, He was one of that community's most beloved surgeons and physicians, who dedicated his entire life to the health and service of all races and creeds; and

Whereas, His innumerable charitable services could not be recalled in the mind of a single individual, as he had no regard for personal gain only that of prolonging the life of the poor as well as those of moderate means; and

Therefore, be it resolved by the House of Representatives, 47th Legislature, That the Members thereof express the deepest regrets on the passing of this beloved doctor, and that we extend our heartfelt sympathies to the surviving members of his family; and

Be it further resolved, That when the House adjourns today, it do so in memory of Dr. L. H. Bush; that a page of the House Journal of today be dedicated to his memory, and that the Chief Clerk of the House be instructed to send two copies of this resolution to his beloved family for the respective members of his family.

KELLY.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Anderson, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Daniel, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.